

**IN THE UNITED STATES DISTRICT COURT OF THE
NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

**TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA, as subrogee of
PANATTONI INVESTMENTS, LLC,**

PLAINTIFF

VS.

CIVIL ACTION NO.: 2:09CV200-B-S

**BRANDENBURG INDUSTRIAL SERVICE
COMPANY**

DEFENDANTS

ORDER

This cause is before the court on the plaintiffs' motion in limine to preclude reference to, and the admissibility of, defendant's second supplemental initial disclosures for want of timeliness (#53). The court, having reviewed the record, the motion, and the applicable law and having heard oral argument, finds as follows:

For the reasons announced by the court on the record at the conclusion of the parties' oral argument on December 15, 2010, the court finds plaintiffs' motion in limine is well taken, and it shall be **GRANTED**.

IT IS, THEREFORE, ORDERED that reference to and admissibility of, defendant Brandenburg Industrial Services Company's second supplemental initial disclosures is precluded for want of timeliness. The court notes, however, that admissibility for purposes of impeachment are not addressed in this order. That issue is better left to the discretion of the district judge.

SO ORDERED, this the 15th day of December 2010.

/s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE